

Legislative Appropriations Request

For Fiscal Years 2016 and 2017

**Submitted to the
Governor's Office of Budget and Planning
and the Legislative Budget Board**

by

Court of Criminal Appeals

August 4, 2014

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211 Court of Criminal Appeals

The Texas Court of Criminal Appeals is the state's highest appellate court for criminal matters. The Court has statewide, exclusive, final appellate jurisdiction in criminal cases. The Court consists of a Presiding Judge and eight Judges.

Typically, the Court disposes of more matters than any other appellate court in the country. During fiscal year 2013, the Court disposed of 9,491 matters. The Court's mandatory caseload includes direct appeal of cases in which the death penalty has been imposed and post-conviction applications for writs of habeas corpus. Its discretionary caseload is comprised primarily of petitions from decisions by the state's fourteen intermediate courts of appeals. Because of its large caseload, the Court has a large central staff. Currently, the Court has sixty-nine employees, two of whom are with Judicial Education. Each Judge has an executive assistant, a staff attorney, and a court law clerk. In addition, the Court has a central staff, which consists of a General Counsel, sixteen attorneys and one legal secretary. The Clerk's Office consists of an appointed Clerk, two chief deputy clerks, five deputy clerks, a network specialist, one accountant, one records manager, and two assistant records managers.

The Court also administers Fund 540, the Judicial Court and Personnel Training Fund. The fund provides for the continuing education of judges of all levels, court personnel, prosecuting attorneys, criminal defense attorneys who represent indigents, public defenders, law enforcement officers, constables, law students, and attorney staff. Currently, nine entities receive grant funds from this program. Two staff members oversee grant operations: one financial examiner and one program specialist.

The Court requests the following exceptional item for Appellate Court Operations (fund 0001) for FY 2016-2017:

Exceptional Item 1:

General Counsel & Attorney Pay Increases - \$871,250 (\$435,625 per year)
Administrative Staff Pay Increases - \$138,000 (\$69,000 per year)
Additional Staff Attorney - \$200,314 (\$100,157 per year)
Additional Deputy Clerk - \$80,000 (\$40,000 per year)

Staff attorneys play a critical role in all aspects of the Court's work and contribute greatly to the jurisprudence of the state. Supreme Court staff attorneys are currently paid in excess of attorneys at the Court of Criminal Appeals. It is appropriate for staff at the two high courts to be compensated comparably.

It is important to maintain a capable staff to manage, document, and complete the work necessary to handle the Court's large caseload. Reasonable salary increases are necessary to maintain the Court's efficient clerical staff.

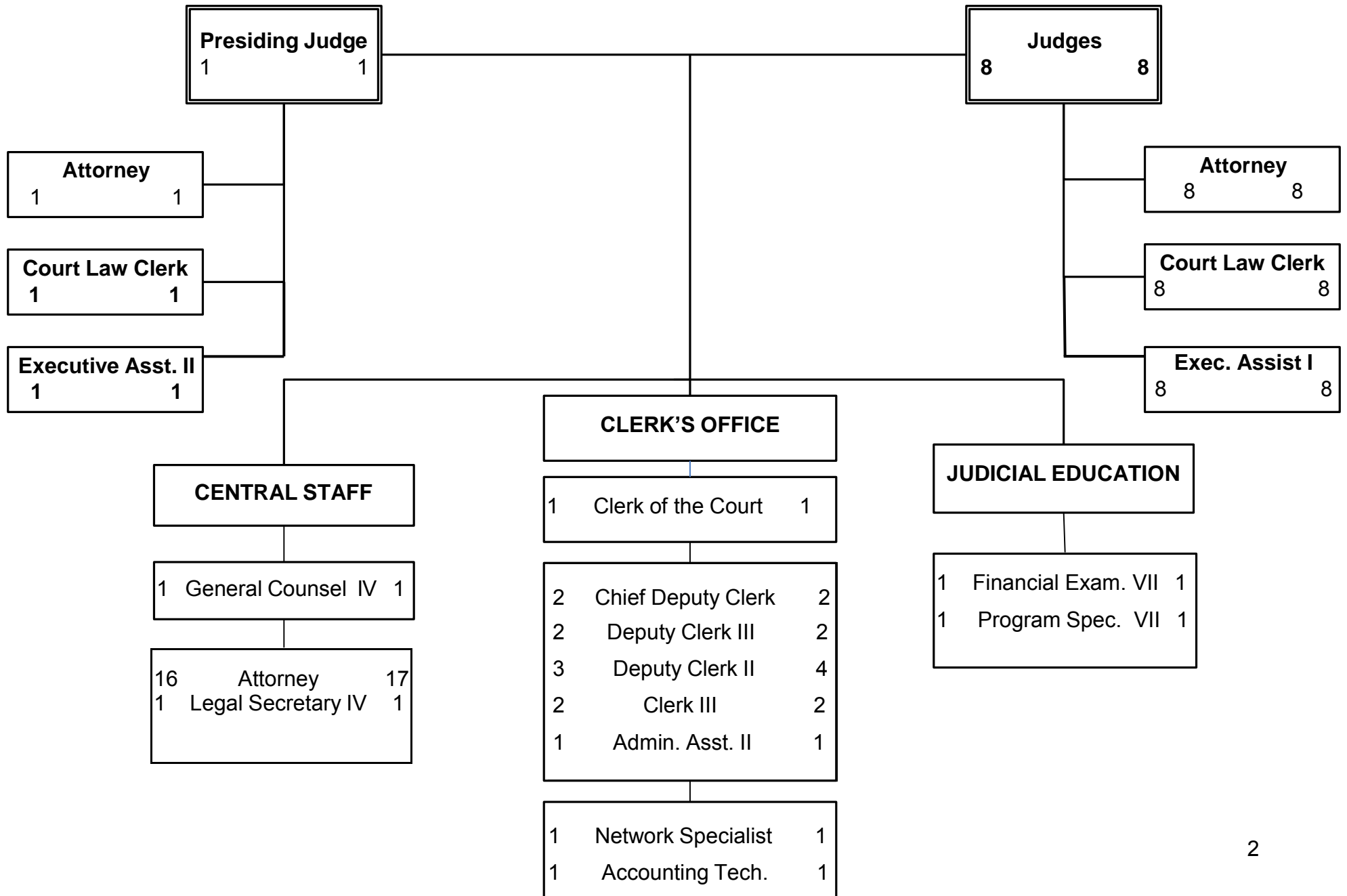
The Court is requesting an additional staff attorney to handle rules and administrative matters, among other things.

The Court is requesting an additional Deputy Clerk to process writs of habeas corpus.

The Court appreciates the budget flexibility afforded the judiciary through exemptions from certain limitations, and through the ability to carry forward any unexpended balance within the biennium. These factors significantly enhance our management ability, and we request a continuation of these budget features.

ORGANIZATIONAL CHART

Texas Court of Criminal Appeals



2.A. Summary of Base Request by Strategy

8/4/2014 3:43:16PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

211 Court of Criminal Appeals					
Goal / Objective / STRATEGY	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>1</u> Appellate Court Operations					
<u>1</u> Appellate Court Operations					
1 APPELLATE COURT OPERATIONS	5,040,925	5,461,817	5,543,368	5,501,817	5,503,368
TOTAL, GOAL 1	\$5,040,925	\$5,461,817	\$5,543,368	\$5,501,817	\$5,503,368
<u>2</u> Judicial Education					
<u>1</u> Judicial Education					
1 JUDICIAL EDUCATION	8,311,528	8,660,385	9,349,883	8,573,330	9,439,555
TOTAL, GOAL 2	\$8,311,528	\$8,660,385	\$9,349,883	\$8,573,330	\$9,439,555
TOTAL, AGENCY STRATEGY REQUEST	\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923

2.A. Summary of Base Request by Strategy

8/4/2014 3:43:16PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

211 Court of Criminal Appeals

Goal / Objective / STRATEGY	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	4,673,954	5,094,066	5,175,617	5,134,066	5,135,617
SUBTOTAL	\$4,673,954	\$5,094,066	\$5,175,617	\$5,134,066	\$5,135,617
General Revenue Dedicated Funds:					
540 Jud & Court Training Fd	8,058,266	8,449,056	8,649,555	8,450,830	8,649,555
SUBTOTAL	\$8,058,266	\$8,449,056	\$8,649,555	\$8,450,830	\$8,649,555
Federal Funds:					
555 Federal Funds	111,517	211,329	32,828	122,500	122,500
SUBTOTAL	\$111,517	\$211,329	\$32,828	\$122,500	\$122,500
Other Funds:					
573 Judicial Fund	333,251	333,251	333,251	333,251	333,251
666 Appropriated Receipts	145,465	4,500	672,000	4,500	672,000
777 Interagency Contracts	30,000	30,000	30,000	30,000	30,000
SUBTOTAL	\$508,716	\$367,751	\$1,035,251	\$367,751	\$1,035,251
TOTAL, METHOD OF FINANCING	\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

8/4/2014 3:43:17PM

Agency code: 211	Agency name: Court of Criminal Appeals				
METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE</u>					
<u>1</u> General Revenue Fund					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2012-13 GAA)	\$4,630,074	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)	\$0	\$4,972,066	\$4,973,617	\$0	\$0
Regular Appropriations from MOF Table (2016-17 GAA)	\$0	\$0	\$0	\$5,134,066	\$5,135,617
<i>TRANSFERS</i>					
Article IV Special Provisions, Sec. 11 - relating to judicial compensation (2014-15 GAA)	\$0	\$162,000	\$162,000	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Lapsed Appropriations	\$(6,185)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>					

2.B. Summary of Base Request by Method of Finance

8/4/2014 3:43:17PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 211		Agency name: Court of Criminal Appeals				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE</u>						
Strategy A.1.1 Appellate Court Operations (2012-13 GAA)		\$50,065	\$0	\$0	\$0	\$0
Strategy A.1.1 Appellate Court Operations (2014-15 GAA)		\$0	\$(40,000)	\$40,000	\$0	\$0
TOTAL,	General Revenue Fund	\$4,673,954	\$5,094,066	\$5,175,617	\$5,134,066	\$5,135,617
TOTAL, ALL	GENERAL REVENUE	\$4,673,954	\$5,094,066	\$5,175,617	\$5,134,066	\$5,135,617

GENERAL REVENUE FUND - DEDICATED**540** Judicial and Court Personnel Training Fund No. 540*REGULAR APPROPRIATIONS*

Regular Appropriations from MOF Table (2012-13 GAA)

\$8,146,184	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2014-15 GAA)

\$0	\$9,213,684	\$8,496,184	\$0	\$0
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Regular Appropriations from MOF Table (2016-17 GAA)

2.B. Summary of Base Request by Method of Finance
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

8/4/2014 3:43:17PM

Agency code: 211	Agency name: Court of Criminal Appeals				
METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE FUND - DEDICATED</u>					
	\$0	\$0	\$0	\$9,213,684	\$8,496,184
<i>RIDER APPROPRIATION</i>					
Rider 9, UB Authority, Admin Allocations (2012-13 GAA)	\$100,000	\$0	\$0	\$0	\$0
Rider 9, UB Authority, Admin Allocations (2014-15 GAA)	\$(150,000)	\$0	\$0	\$0	\$0
Rider 9, UB Authority, Admin Allocations (2014-15 GAA)	\$0	\$(150,000)	\$150,000	\$0	\$0
Rider 6, Refund from Training Entities (2014-15 GAA)	\$0	\$(616,225)	\$0	\$0	\$0
Rider 2 B, Admin Allocation (2012-13 GAA)	\$(37,918)	\$0	\$0	\$0	\$0
Rider 9, UB Authority, Admin Allocations (2016-17 GAA)	\$0	\$0	\$0	\$(150,000)	\$150,000

2.B. Summary of Base Request by Method of Finance

8/4/2014 3:43:17PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 211		Agency name: Court of Criminal Appeals				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>GENERAL REVENUE FUND - DEDICATED</u>						
Rider 6, Refund from Training Entities (2016-17 GAA)		\$0	\$0	\$0	\$(616,225)	\$0
<i>TRANSFERS</i>						
Art IX, Sec 17.06 Salary Increase for General State Employees (2014-15 GAA)		\$0	\$1,597	\$3,371	\$0	\$0
Art IX, Sec 17.06 Salary Increase for General State Employees (2016-17 GAA)		\$0	\$0	\$0	\$3,371	\$3,371
TOTAL,	Judicial and Court Personnel Training Fund No. 540	\$8,058,266	\$8,449,056	\$8,649,555	\$8,450,830	\$8,649,555
TOTAL, ALL	GENERAL REVENUE FUND - DEDICATED	\$8,058,266	\$8,449,056	\$8,649,555	\$8,450,830	\$8,649,555
TOTAL,	GR & GR-DEDICATED FUNDS	\$12,732,220	\$13,543,122	\$13,825,172	\$13,584,896	\$13,785,172

FEDERAL FUNDS

555 Federal Funds

RIDER APPROPRIATION

Art IX, Sec. 8.02, Federal Funds/Block Grants (2012-13 GAA)

2.B. Summary of Base Request by Method of Finance

8/4/2014 3:43:17PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 211		Agency name: Court of Criminal Appeals				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>FEDERAL FUNDS</u>						
		\$111,517	\$0	\$0	\$0	\$0
Art IX, Sec 8.02, Federal Funds/Block Grants (2014-15 GAA)						
		\$0	\$211,329	\$32,828	\$122,500	\$122,500
TOTAL,	Federal Funds					
		\$111,517	\$211,329	\$32,828	\$122,500	\$122,500
TOTAL, ALL	FEDERAL FUNDS					
		\$111,517	\$211,329	\$32,828	\$122,500	\$122,500
<u>OTHER FUNDS</u>						
<u>573</u>	Judicial Fund No. 573					
	<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2012-2013 GAA)						
		\$333,251	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)						
		\$0	\$333,251	\$333,251	\$333,251	\$333,251
TOTAL,	Judicial Fund No. 573					
		\$333,251	\$333,251	\$333,251	\$333,251	\$333,251
<u>666</u>	Appropriated Receipts					

2.B. Summary of Base Request by Method of Finance
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

8/4/2014 3:43:17PM

Agency code: 211		Agency name: Court of Criminal Appeals				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>OTHER FUNDS</u>						
REGULAR APPROPRIATIONS						
Regular Appropriations from MOF Table (2012-13 GAA)		\$387,000	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2014-15 GAA)		\$0	\$4,500	\$672,000	\$4,500	\$672,000
LAPSED APPROPRIATIONS						
Lapsed Appropriations - Committed Funds		\$(240,755)	\$0	\$0	\$0	\$0
Lapsed Appropriations - copy fee revenue lapse		\$(780)	\$0	\$0	\$0	\$0
TOTAL,	Appropriated Receipts	\$145,465	\$4,500	\$672,000	\$4,500	\$672,000
<u>777</u>	Interagency Contracts					
REGULAR APPROPRIATIONS						
Regular Appropriations from MOF Table (2012-13 GAA)		\$30,000	\$0	\$0	\$0	\$0

2.B. Summary of Base Request by Method of Finance
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

8/4/2014 3:43:17PM

Agency code: 211		Agency name: Court of Criminal Appeals				
METHOD OF FINANCING		Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
<u>OTHER FUNDS</u>						
Regular Appropriations from MOF Table (2014-15 GAA)		\$0	\$30,000	\$30,000	\$30,000	\$30,000
TOTAL, Interagency Contracts		\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
TOTAL, ALL OTHER FUNDS		\$508,716	\$367,751	\$1,035,251	\$367,751	\$1,035,251
GRAND TOTAL		\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923
FULL-TIME-EQUIVALENT POSITIONS						
REGULAR APPROPRIATIONS						
Regular Appropriations from MOF Table (2012-13 GAA)		68.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2014-15 GAA)		0.0	71.0	71.0	71.0	71.0
UNAUTHORIZED NUMBER OVER (BELOW) CAP						
Unauthorized Number Over(Below) Cap		1.0	(2.0)	(2.0)	(2.0)	(2.0)
TOTAL, ADJUSTED FTES		69.0	69.0	69.0	69.0	69.0

2.B. Summary of Base Request by Method of Finance

8/4/2014 3:43:17PM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **211**Agency name: **Court of Criminal Appeals**

METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
NUMBER OF 100% FEDERALLY FUNDED FTEs	0.0	0.0	0.0	0.0	0.0

2.C. Summary of Base Request by Object of Expense

8/4/2014 3:43:18PM

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)**211 Court of Criminal Appeals**

OBJECT OF EXPENSE	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1001 SALARIES AND WAGES	\$4,815,400	\$5,302,310	\$5,332,310	\$5,335,681	\$5,335,681
1002 OTHER PERSONNEL COSTS	\$196,385	\$121,361	\$177,278	\$126,390	\$127,941
2001 PROFESSIONAL FEES AND SERVICES	\$5,982	\$3,861	\$3,861	\$3,861	\$3,861
2003 CONSUMABLE SUPPLIES	\$27,639	\$19,895	\$14,895	\$15,220	\$15,220
2004 UTILITIES	\$4,999	\$3,388	\$3,388	\$3,400	\$3,400
2005 TRAVEL	\$19,257	\$27,427	\$35,000	\$48,000	\$48,000
2006 RENT - BUILDING	\$7,172	\$6,985	\$7,000	\$7,000	\$7,000
2007 RENT - MACHINE AND OTHER	\$23,620	\$25,202	\$25,201	\$25,201	\$25,201
2009 OTHER OPERATING EXPENSE	\$146,069	\$134,744	\$135,811	\$133,311	\$132,311
4000 GRANTS	\$8,105,930	\$8,477,029	\$9,158,507	\$8,377,083	\$9,244,308
OOE Total (Excluding Riders)	\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923
OOE Total (Riders)					
Grand Total	\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923

2.C.1. Operating Costs Detail ~ Base Request

Date: 8/4/2014
Time: 3:43:19PM84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 211 Agency: Court of Criminal Appeals

BASE REQUEST STRATEGY: 1-1-1 Appellate Court Operations

Code	Type of Expense	Expended 2013	Estimated 2014	Budgeted 2015	Requested 2016	Requested 2017
2	Postage	\$20,446	\$18,018	\$18,197	\$12,000	\$12,000
5	Westlaw/Lexis	14,231	15,546	15,500	15,500	15,500
6	Registrations/Training	6,088	2,195	6,000	2,200	6,000
7	Subscriptions/Periodicals	0	0	0	0	0
13	Furniture & Equipment (Expensed)	13,335	1,904	2,000	2,000	2,000
15	Printing & Reproduction	0	1,082	0	0	0
24	Freight/Delivery	1,815	1,334	1,300	1,300	1,300
27	Membership Dues	150	300	150	150	150
55	Computer Furn & Equip-Controlled	75	0	0	3,800	0
56	Computer Equipment - Expensed	3,104	0	0	0	0
64	SORM Assessment	5,970	5,469	5,700	5,700	5,700
67	Cleaning Services	138	0	0	0	0
73	Maintenance-Repair Computer Equip	594	0	0	0	0
74	Computer Software - Expensed	45	0	0	0	0
75	Maint. & Repair Computer Software	60	0	0	0	0
76	Maintenance & Repair - Building	550	0	0	0	0
86	Capitol Complex Transfer	14,827	15,426	15,500	15,730	15,730
108	Publications	183	114	120	120	120
118	Temporary Employment Services	565	819	500	500	500
157	Fees and Other Charges	86	0	0	0	0
164	Books/Reference Materials	3,787	8,861	6,000	8,000	8,000
171	Insurance Premiums	5,033	5,033	5,033	6,000	6,000
182	Payroll Health Insurance	43,704	49,672	50,000	51,000	51,000
Total, Operating Costs		\$134,786	\$125,773	\$126,000	\$124,000	\$124,000

84th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 211 Agency: Court of Criminal Appeals

BASE REQUEST STRATEGY: 2-1-1 Judicial Education

Code	Type of Expense	Expended 2013	Estimated 2014	Budgeted 2015	Requested 2016	Requested 2017
2	Postage	\$3,633	\$0	\$0	\$0	\$0
13	Furniture & Equipment (Expensed)	768	0	0	500	500
27	Membership Dues	249	125	125	125	125
134	Training	4,763	0	8,000	8,000	8,000
157	Fees and Other Charges	51	0	0	0	0
182	Payroll Health Insurance	1,814	1,686	1,686	1,686	1,686
189	Registration, Membership, Training	0	1,439	0	1,000	0
Total, Operating Costs		\$11,278	\$3,250	\$9,811	\$11,311	\$10,311

2.D. Summary of Base Request Objective Outcomes
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

8/4/2014 3:43:21PM

211 Court of Criminal Appeals					
Goal/ Objective / Outcome	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1 Appellate Court Operations					
1 Appellate Court Operations					
KEY 1 Disposition Rate for PDR's Which Are Granted					
	84.00%	95.00%	100.00%	100.00%	100.00%
2 Disposition Rate for Application for Writs of Habeas Corpus					
	102.00%	100.00%	100.00%	100.00%	100.00%
KEY 3 Disposition Rate for Death Penalty Cases					
	125.00%	125.00%	140.00%	140.00%	140.00%
KEY 4 Avg Time (in Days) from the Time PDRs Are Granted until Disposition					
	241.00	241.00	281.00	281.00	281.00
KEY 5 Average Time from Time Filed to Disposition in Death Penalty Cases					
	646.00	646.00	685.00	685.00	685.00

2.E. Summary of Exceptional Items Request
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/4/2014
TIME : 3:43:26PM

Agency code: 211

Agency name: Court of Criminal Appeals

Priority	Item	2016			2017			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Enhance Appellate Court Operations	\$649,872	\$649,872	2.0	\$644,782	\$644,782	2.0	\$1,294,654	\$1,294,654
Total, Exceptional Items Request		\$649,872	\$649,872	2.0	\$644,782	\$644,782	2.0	\$1,294,654	\$1,294,654
Method of Financing									
	General Revenue	\$649,872	\$649,872		\$644,782	\$644,782		\$1,294,654	\$1,294,654
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$649,872	\$649,872		\$644,782	\$644,782		\$1,294,654	\$1,294,654
Full Time Equivalent Positions				2.0				2.0	
Number of 100% Federally Funded FTEs				0.0				0.0	

2.F. Summary of Total Request by Strategy
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/4/2014

TIME : 3:43:31PM

Agency code: 211 Agency name: Court of Criminal Appeals

Goal/Objective/STRATEGY	Base 2016	Base 2017	Exceptional 2016	Exceptional 2017	Total Request 2016	Total Request 2017
1 Appellate Court Operations						
1 <i>Appellate Court Operations</i>						
1 APPELLATE COURT OPERATIONS	\$5,501,817	\$5,503,368	\$649,872	\$644,782	\$6,151,689	\$6,148,150
TOTAL, GOAL 1	\$5,501,817	\$5,503,368	\$649,872	\$644,782	\$6,151,689	\$6,148,150
2 Judicial Education						
1 <i>Judicial Education</i>						
1 JUDICIAL EDUCATION	8,573,330	9,439,555	0	0	8,573,330	9,439,555
TOTAL, GOAL 2	\$8,573,330	\$9,439,555	\$0	\$0	\$8,573,330	\$9,439,555
TOTAL, AGENCY STRATEGY REQUEST	\$14,075,147	\$14,942,923	\$649,872	\$644,782	\$14,725,019	\$15,587,705
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$14,075,147	\$14,942,923	\$649,872	\$644,782	\$14,725,019	\$15,587,705

2.F. Summary of Total Request by Strategy
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/4/2014
TIME : 3:43:31PM

Agency code: 211	Agency name: Court of Criminal Appeals					
Goal/Objective/STRATEGY	Base 2016	Base 2017	Exceptional 2016	Exceptional 2017	Total Request 2016	Total Request 2017
General Revenue Funds:						
1 General Revenue Fund	\$5,134,066	\$5,135,617	\$649,872	\$644,782	\$5,783,938	\$5,780,399
	\$5,134,066	\$5,135,617	\$649,872	\$644,782	\$5,783,938	\$5,780,399
General Revenue Dedicated Funds:						
540 Jud & Court Training Fd	8,450,830	8,649,555	0	0	8,450,830	8,649,555
	\$8,450,830	\$8,649,555	\$0	\$0	\$8,450,830	\$8,649,555
Federal Funds:						
555 Federal Funds	122,500	122,500	0	0	122,500	122,500
	\$122,500	\$122,500	\$0	\$0	\$122,500	\$122,500
Other Funds:						
573 Judicial Fund	333,251	333,251	0	0	333,251	333,251
666 Appropriated Receipts	4,500	672,000	0	0	4,500	672,000
777 Interagency Contracts	30,000	30,000	0	0	30,000	30,000
	\$367,751	\$1,035,251	\$0	\$0	\$367,751	\$1,035,251
TOTAL, METHOD OF FINANCING	\$14,075,147	\$14,942,923	\$649,872	\$644,782	\$14,725,019	\$15,587,705
FULL TIME EQUIVALENT POSITIONS	69.0	69.0	2.0	2.0	71.0	71.0

2.G. Summary of Total Request Objective Outcomes
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/4/2014
Time: 3:43:34PM

Agency code: **211**

Agency name: **Court of Criminal Appeals**

Goal/ Objective / Outcome

		BL 2016	BL 2017	Excp 2016	Excp 2017	Total Request 2016	Total Request 2017
1	Appellate Court Operations						
1	Appellate Court Operations						
KEY	1 Disposition Rate for PDR's Which Are Granted						
		100.00%	100.00%			100.00%	100.00%
	2 Disposition Rate for Application for Writs of Habeas Corpus						
		100.00%	100.00%			100.00%	100.00%
KEY	3 Disposition Rate for Death Penalty Cases						
		140.00%	140.00%			140.00%	140.00%
KEY	4 Avg Time (in Days) from the Time PDRs Are Granted until Disposition						
		281.00	281.00			281.00	281.00
KEY	5 Average Time from Time Filed to Disposition in Death Penalty Cases						
		685.00	685.00			685.00	685.00

211 Court of Criminal Appeals

GOAL: 1 Appellate Court Operations
OBJECTIVE: 1 Appellate Court Operations
STRATEGY: 1 Appellate Court Operations

Statewide Goal/Benchmark: 0 0
Service Categories:
Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
Output Measures:						
1	Number of Cases Disposed	9,491.00	9,775.00	10,069.00	10,069.00	10,069.00
Efficiency Measures:						
1	Average time (Days) from the Time FD to Disp for Writs of Habeas Corp	30.00	30.00	30.00	30.00	30.00
2	Average Time from the Time Filed to Disposition for PDR	61.00	60.00	55.00	55.00	55.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$4,633,992	\$5,133,731	\$5,163,731	\$5,163,731	\$5,163,731
1002	OTHER PERSONNEL COSTS	\$194,045	\$120,881	\$176,798	\$125,910	\$127,461
2001	PROFESSIONAL FEES AND SERVICES	\$5,702	\$3,701	\$3,701	\$3,701	\$3,701
2003	CONSUMABLE SUPPLIES	\$25,800	\$19,675	\$14,675	\$15,000	\$15,000
2004	UTILITIES	\$4,999	\$3,388	\$3,388	\$3,400	\$3,400
2005	TRAVEL	\$13,125	\$18,887	\$25,000	\$38,000	\$38,000
2006	RENT - BUILDING	\$7,172	\$6,985	\$7,000	\$7,000	\$7,000
2007	RENT - MACHINE AND OTHER	\$21,300	\$23,075	\$23,075	\$23,075	\$23,075
2009	OTHER OPERATING EXPENSE	\$134,790	\$131,494	\$126,000	\$122,000	\$122,000
TOTAL, OBJECT OF EXPENSE		\$5,040,925	\$5,461,817	\$5,543,368	\$5,501,817	\$5,503,368

211 Court of Criminal Appeals

GOAL:	1	Appellate Court Operations	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Appellate Court Operations	Service Categories:		
STRATEGY:	1	Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
Method of Financing:						
1	General Revenue Fund	\$4,673,954	\$5,094,066	\$5,175,617	\$5,134,066	\$5,135,617
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$4,673,954	\$5,094,066	\$5,175,617	\$5,134,066	\$5,135,617
Method of Financing:						
573	Judicial Fund	\$333,251	\$333,251	\$333,251	\$333,251	\$333,251
666	Appropriated Receipts	\$3,720	\$4,500	\$4,500	\$4,500	\$4,500
777	Interagency Contracts	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
SUBTOTAL, MOF (OTHER FUNDS)		\$366,971	\$367,751	\$367,751	\$367,751	\$367,751
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$5,501,817	\$5,503,368
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$5,040,925	\$5,461,817	\$5,543,368	\$5,501,817	\$5,503,368
FULL TIME EQUIVALENT POSITIONS:		67.0	67.0	67.0	67.0	67.0
STRATEGY DESCRIPTION AND JUSTIFICATION:						

211 Court of Criminal Appeals

GOAL:	1	Appellate Court Operations	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Appellate Court Operations	Service Categories:		
STRATEGY:	1	Appellate Court Operations	Service: 01	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
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The Court of Criminal Appeals was created by Article V, Section 4 of the Texas Constitution. The Court of Criminal Appeals consists of eight Judges and one Presiding Judge. This Court has final appellate jurisdiction coextensive with the limits of the state, and its determinations shall be final, in all criminal cases of whatever grade, with such exceptions and under such regulations as may be provided in the Texas Constitution or prescribed by law. The appeal of all cases in which the death penalty has been assessed shall be to the Court of Criminal Appeals. The appeal of all other criminal cases shall be to the Courts of Appeal as prescribed by law. In addition, the Court of Criminal Appeals may, on its own motion, review a decision of a Court of Appeals in a criminal case as provided by law. Discretionary review by the Court of Criminal Appeals is not a matter of right, but of sound judicial discretion.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The main factor which drives this strategy is the need to attract and retain highly trained and knowledgeable staff to work on a challenging caseload.

211 Court of Criminal Appeals

GOAL:	2	Judicial Education	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Judicial Education	Service Categories:		
STRATEGY:	1	Judicial Education	Service: 07	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
Output Measures:						
KEY 1	Total Number of Participants Trained in Judicial Education Courses	19,406.00	18,239.00	20,672.00	20,672.00	20,672.00
2	Number of Judges Trained in Judicial Education Courses	5,497.00	4,584.00	5,922.00	5,922.00	5,922.00
3	Number of Court Personnel Trained in Judicial Education Courses	6,129.00	4,663.00	5,883.00	5,883.00	5,883.00
4	Number of Constables Trained in Judicial Education Courses	950.00	750.00	720.00	720.00	720.00
5	Number of Prosecuting Attorneys and Their Personnel Trained	2,905.00	2,480.00	2,586.00	2,586.00	2,586.00
6	# Of Defense Attorneys And Personnel Trained In Judicial Education	3,542.00	5,020.00	4,676.00	4,676.00	4,676.00
7	Total Number of Law Students Trained in Judicial Education Courses	56.00	13.00	183.00	183.00	183.00
8	Total # Law Enforcement Officers Trained in Judicial Education Courses	133.00	210.00	167.00	167.00	167.00
9	Total Number of Public Defenders Trained in Judicial Education Courses	194.00	519.00	535.00	535.00	535.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$181,408	\$168,579	\$168,579	\$171,950	\$171,950

211 Court of Criminal Appeals

GOAL:	2	Judicial Education	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Judicial Education	Service Categories:		
STRATEGY:	1	Judicial Education	Service: 07	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1002	OTHER PERSONNEL COSTS	\$2,340	\$480	\$480	\$480	\$480
2001	PROFESSIONAL FEES AND SERVICES	\$280	\$160	\$160	\$160	\$160
2003	CONSUMABLE SUPPLIES	\$1,839	\$220	\$220	\$220	\$220
2005	TRAVEL	\$6,132	\$8,540	\$10,000	\$10,000	\$10,000
2007	RENT - MACHINE AND OTHER	\$2,320	\$2,127	\$2,126	\$2,126	\$2,126
2009	OTHER OPERATING EXPENSE	\$11,279	\$3,250	\$9,811	\$11,311	\$10,311
4000	GRANTS	\$8,105,930	\$8,477,029	\$9,158,507	\$8,377,083	\$9,244,308
TOTAL, OBJECT OF EXPENSE		\$8,311,528	\$8,660,385	\$9,349,883	\$8,573,330	\$9,439,555
Method of Financing:						
540	Jud & Court Training Fd	\$8,058,266	\$8,449,056	\$8,649,555	\$8,450,830	\$8,649,555
SUBTOTAL, MOF (GENERAL REVENUE FUNDS - DEDICATED)		\$8,058,266	\$8,449,056	\$8,649,555	\$8,450,830	\$8,649,555
Method of Financing:						
555	Federal Funds					
	16.746.000 Capital Case Litigation Initiative	\$111,517	\$211,329	\$32,828	\$122,500	\$122,500
CFDA Subtotal, Fund	555	\$111,517	\$211,329	\$32,828	\$122,500	\$122,500
SUBTOTAL, MOF (FEDERAL FUNDS)		\$111,517	\$211,329	\$32,828	\$122,500	\$122,500

211 Court of Criminal Appeals

GOAL:	2	Judicial Education	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Judicial Education	Service Categories:		
STRATEGY:	1	Judicial Education	Service: 07	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
Method of Financing:						
666	Appropriated Receipts	\$141,745	\$0	\$667,500	\$0	\$667,500
SUBTOTAL, MOF (OTHER FUNDS)		\$141,745	\$0	\$667,500	\$0	\$667,500
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$8,573,330	\$9,439,555
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$8,311,528	\$8,660,385	\$9,349,883	\$8,573,330	\$9,439,555
FULL TIME EQUIVALENT POSITIONS:		2.0	2.0	2.0	2.0	2.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Court of Criminal Appeals has administered the appropriation for Judicial and Court Personnel Training since the 73rd Legislative Session as authorized by Chapter 56 of the Government Code and Article IV of the General Appropriations Act. The Court of Criminal Appeals oversees the training program and adopts rules relating to the education and training of judges and court personnel of appellate, district, statutory county, constitutional county, and municipal courts, and justices of the peace and their staff, prosecuting attorneys and their staff and criminal defense lawyers who represent indigents and others. The Court of Criminal Appeals provides funding in the forms of grants to entities who conduct the education and training programs. The Court of Criminal Appeals controls the budgets of the entities who receive grants, audits the expenditure of funds provided, and tracks participation in the education and training programs.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

211 Court of Criminal Appeals

GOAL:	2	Judicial Education	Statewide Goal/Benchmark:	0	0
OBJECTIVE:	1	Judicial Education	Service Categories:		
STRATEGY:	1	Judicial Education	Service: 07	Income: A.2	Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
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Many participants of the education and training programs have little or no prior experience in their offices or positions and they rely heavily on the information and materials provided to establish and maintain competency. Judicial and Court Personnel training serves as a preventative so that fewer cases of judicial mishandling appear before the State's Judicial Conduct Commission, and also so that attorneys defending indigents may be properly trained.

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923
METHODS OF FINANCE (INCLUDING RIDERS):				\$14,075,147	\$14,942,923
METHODS OF FINANCE (EXCLUDING RIDERS):	\$13,352,453	\$14,122,202	\$14,893,251	\$14,075,147	\$14,942,923
FULL TIME EQUIVALENT POSITIONS:	69.0	69.0	69.0	69.0	69.0

3.B. Rider Revisions and Additions Request

Agency Code: 211	Agency Name: COURT OF CRIMINAL APPEALS	Prepared By:	Date: August 4, 2014	Request Level:
Current Rider Number	Page Number in 2014/2015 GAA	Proposed Rider Language		
2a	IV-4	<p>Court of Criminal Appeals may assign to the Office of Court Administration or to any other agency of the Judicial Branch the necessary administrative and accounting functions for the General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540 appropriation included in this Act to be performed under the direction of the Court of Criminal Appeals in compliance with Government Code, Chapter 56. To implement this provision, the Comptroller is authorized to transfer the appropriation from the Court of Criminal Appeals to the Office of Court Administration, or to any other agency of the Judicial Branch, as directed by order of the Court of Criminal Appeals. Of the amount appropriated for Strategy B.1.1, Judicial Education, \$403,750 in fiscal year 2014 and \$403,750 in fiscal year 2015 shall be expended for the continuing legal education of judges of county courts performing judicial functions.</p> <p><i>Wording in strikeouts moved to rider 3 for consolidation purposes.</i></p>		
2b	IV-5	<p>Funds appropriated above in Strategy B.1.1, Judicial Education, include a 3 percent administrative allocation estimated to be \$276,411 in fiscal year 2014 2016 and \$278,267 in fiscal year 2015 2017, <u>in addition to</u> subject to amounts of refunds of unexpended balances from training entities, other funds that may be provided for judicial and court personnel training or unexpended balances in the administrative allocation in the current or prior biennia. In addition to these amounts, \$200,000 in fiscal year 2014 2016 and \$200,000 in fiscal year 2015 2017 of the amounts appropriated above in Strategy B.1.1, Judicial Education are allocated for administrative <u>or training</u> purposes <u>or other purposes at the discretion of the Court of Criminal Appeals which further the objectives of Strategy B.1.1.</u> For the purposes of this provision, the term administration shall include, but not be limited to, administrative oversight functions, accounting and auditing functions, management studies, performance audits, and other studies initiated by the Court of Criminal Appeals or the Office of Court Administration.</p> <p><i>The strikeout section is made because it refers to rider 6 which is being recommended for deletion. The purpose of the added language is to clarify the usage of the \$200,000 to include training and other purposes that further the objectives of strategy B.1.1.</i></p>		

3.B. Rider Revisions and Additions Request (continued)

2c	IV-5	<p>Funds expended by either the Court of Criminal Appeals or the Office of Court Administration, out of the appropriation made above out of the General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540, for the purpose of conducting management studies, performance audits, or other studies, shall be expended only in accordance with a competitive bidding process.</p> <p><i>No changes.</i></p>
3a	IV-5	<p>The Court of Criminal Appeals is appropriated above in Strategy B.1.1, Judicial Education an amount not to exceed \$1,253,750 in fiscal year 2014 and \$1,253,750 in fiscal year 2015 to contract with a statewide professional association of prosecuting attorneys and other entities to provide continuing legal education courses, programs and technical assistance projects for prosecutors and prosecutor office personnel</p> <p><i>This rider is transferred to the first bullet in new rider 3 as part of the overall cleanup in rider language.</i></p>
3b	IV-5	<p>The Court of Criminal Appeals is appropriated above in B.1.1, Judicial Education an amount not exceed \$1,105,000 in fiscal year 2014 and \$1,220,200 in fiscal year 2015 to contract with a statewide professional association of criminal defense attorneys and other entities to provide continuing legal education courses, programs and technical assistance projects for criminal defense attorneys who regularly represent indigent defendants in criminal matters.</p> <p><i>This rider is transferred to the second bullet in new rider 3as part of the overall cleanup in rider language.</i></p>
3c	IV-5	<p>Funds may be expended pursuant to this provision only out of the appropriation made above out of the General Revenue-Dedicated Judicial and Court Personnel Training Fund Account No. 540.</p> <p><i>This rider is deleted because it is redundant. Chapter 56, Government Code makes the same provisions.</i></p>

3.B. Rider Revisions and Additions Request (continued)

3	New consolidated rider 3	<p>Continuing Education and Technical Assistance for Prosecutors and Criminal Defense Attorneys. Strikeout is made because the new consolidated rider 3 will provide for appropriated amounts to other constituents than just prosecutors and criminal defense attorneys.</p> <p><u>The Court of Criminal Appeals is appropriated above in Strategy B.1.1, Judicial Education an amount of \$403,750 in fiscal year 2016 and \$403,750 in fiscal year 2017, which shall be expended for the continuing legal education of judges of county courts performing judicial functions, and amounts not to exceed:</u></p> <p><i>The added language is being transferred from rider 2a for the purpose of rider consolidation. It's not included in the bulleted list below because the wording specifies a set amount whereas the ones bulleted specify an amount "not to exceed."</i></p> <ul style="list-style-type: none"> • \$1,253,750 in fiscal year 2014 <u>2016</u> and \$1,253,750 in fiscal year 2015 <u>2017</u> to contract with a statewide professional association of prosecuting attorneys and other entities to provide continuing legal education courses, programs and technical assistance projects for prosecutors and prosecutor office personnel. <i>As part of the overall cleanup of rider language this is transferred in from rider 3a for consolidation purposes.</i> • \$1,105,000 <u>\$1,220,200</u> in fiscal year 2014 <u>2016</u> and \$1,220,200 in fiscal year 2015 <u>2017</u> to contract with a statewide professional association of criminal defense attorneys and other entities to provide continuing legal education courses, programs and technical assistance projects for criminal defense attorneys <u>and criminal defense attorney office personnel</u> who regularly represent indigent defendants in criminal matters. <i>As part of the overall cleanup of rider language this is being transferred in from rider 3b. Words are added for criminal defense attorney office personnel since they are a newly funded constituent in the 2015 appropriation and a continuation is requested.</i> • \$350,000 in fiscal year 2014 <u>2016</u> and an amount not to exceed \$350,000 in fiscal year 2015 <u>2017</u> shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education courses, programs, and technical assistance projects on actual innocence for criminal defense attorneys, prosecuting attorneys, judges, bailiffs, constables, warrant officers, or other persons as provided by statute. Any unexpended balances of these funds remaining as of August 31, 2014 are hereby appropriated to the Court of Criminal Appeals for the fiscal year beginning September 1, 2014 for the same purpose. <i>As part of the overall cleanup of rider language this is transferred in from rider 8 for consolidation purposes. The wording in strikeouts is made because it is redundant for the reason that a continuation of UB authority is being requested for the entire appropriation within the biennium (i.e. from FY 2016 into 2017) and need not be specified for any particular rider.</i> • \$42,500 in fiscal year 2014 <u>2016</u> and an amount not to exceed \$42,500 in fiscal year 2015 <u>2017</u> shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education courses, programs and technical assistance projects for public defenders. <i>As part of the overall cleanup of rider language this is transferred in from rider 10 for consolidation purposes. A continuation of this rider is requested.</i>
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3.B. Rider Revisions and Additions Request (continued)

4	IV-5	<p>Judicial Education: Reimbursement for Travel Expenses. Funds appropriated above in Strategy B.1.1, Judicial Education, for the purposes established in § 56.003(b) of the Government Code, may be granted only pursuant to a grant contract which provides for the reimbursement of expenses of judges pursuant to the provisions of §74.062 of the Government Code. This provision shall not apply to funds granted for the purpose of providing continuing legal education for judges of county courts performing judicial functions.</p> <p><i>A continuation of this rider is requested.</i></p>
5	IV-5	<p>Judicial and Court Personnel Training Report. The Court of Criminal Appeals shall file a report with the Legislative Budget Board and the Governor within 90 days following February 28 and August 31 of each fiscal year showing the allocation of grants and expenditures from General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540, <u>allocation of unexpended prior year grant funds held by training entities</u>, and the results of grant audits.</p> <p><i>Wording is added to this rider for accountability purposes since we are requesting a deletion of rider 6 which addressed grant funds held by training entities. We want to show that the Court will still have control of unexpended funds held by training entities as before but also report to the LBB twice annually our allocation of such funds.</i></p>
6	IV-5	<p>Appropriation: Refunds of Unexpended Balances from Training Entities. The Court of Criminal Appeals shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered state funds held at the close of fiscal year 2013 and fiscal year 2014 by training entities receiving grants to conduct judicial and court personnel training. Refunds received by the Court of Criminal Appeals in fiscal year 2014 from training entities are appropriated above in Strategy B.1.1, Judicial Education (not to exceed \$667,500 in fiscal year 2014 out of General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540.) In addition, under Article IX, § 8.03 of this Act, the Court of Criminal Appeals is authorized to spend an amount not to exceed \$667,500 from refunds received from training entities in fiscal year 2015 for grants awarded in fiscal year 2014.</p> <p><i>Deletion of this rider is requested because it requires training entities to return all UB cash to the Court which is an unnecessary step in the review and approval of UB. With this deletion the review and approval process will remain unchanged except for the automatic return of all UB cash. Instead the Court will require training entities to either return the UB cash or re-budget the UB subject to the Court's review and approval. Also unchanged will be procedures the Court uses to ensure that no training entity will accumulate too large of a UB amount. It should also be mentioned that controls over UB held by training entities will be strengthened by the added language to rider 5 which will require the Court to be accountable to the LBB for allocations of such funds held by training entities.</i></p>

3.B. Rider Revisions and Additions Request (continued)

7 6	IV-6	<p>Judicial and Court Personnel Training. Out of funds appropriated above in Strategy B.1.1, Judicial Education, a minimum of \$850,000 per fiscal year is designated for the Court of Criminal Appeals to contract with training entities providing for the training and continuing legal education of the clerks and other court personnel of the appellate courts, district courts, county courts at law, county courts, justice courts, and municipal courts of this State in accordance with Government Code §74.025.</p> <p><i>A continuation of this rider is requested.</i></p>
8	IV-6	<p>Actual Innocence Training. Out of funds appropriated above in Strategy B.1.1, Judicial Education, an amount not to exceed \$350,000 in fiscal year 2014 and an amount not to exceed \$350,000 in fiscal year 2015 shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education courses, programs, and technical assistance projects on actual innocence for criminal defense attorneys, prosecuting attorneys, judges, bailiffs, constables, warrant officers, or other persons as provided by statute. Any unexpended balances of these funds remaining as of August 31, 2014 are hereby appropriated to the Court of Criminal Appeals for the fiscal year beginning September 1, 2014 for the same purpose.</p> <p><i>This rider is transferred to the fourth bullet in new rider 3as part of the overall cleanup in rider language.</i></p>
9 7	IV-6	<p>Appropriation: Unexpended Balance Authority Between Biennia and Within the Biennium for Judicial Education, Administrative Allocation. All unexpended balances of funds appropriated to Strategy B.1.1, Judicial Education and allocated for administrative purposes at the end of fiscal year 2013 <u>2015</u> are appropriated to Strategy B.1.1, Judicial Education in fiscal year 2014 <u>2016</u> (not to exceed \$200,000 in General Revenue-Dedicated Judicial and Court Personnel Training Fund No. 540, and included in amounts appropriated above). Further, all unexpended balances of funds appropriated to Strategy B.1.1, Judicial Education and allocated for administrative purposes at the end of fiscal year 2014 2016 are appropriated to Strategy B.1.1, Judicial Education in fiscal year 2015 2017 including an amount not to exceed \$150,000 for administrative purposes. not to exceed \$150,000 in General Revenue Dedicated Judicial and Court Personnel Account Fund No. 540).</p> <p><i>The purpose of the first two strikeouts is to enable the Court to carryover UB funds allocated not just for administrative purposes but training purposes as well. The second knockout will eliminate rider authority for UB in year two (2017) of the biennium since this language will not be needed due to “&UB” being added to the appropriation under strategy B.1.1.</i></p>

3.B. Rider Revisions and Additions Request (continued)

40	IV-6	<p>Public Defender Training: Out of funds appropriated above in Strategy B.1.1, Judicial Education, an amount not to exceed \$42,500 in fiscal year 2014 and an amount not to exceed \$42,500 in fiscal year 2015 shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education courses, programs and technical assistance projects for public defenders.</p> <p><i>This rider is transferred to the fourth bullet in new rider 3as part of the overall cleanup in rider language.</i></p>
41 8	IV-6	<p>Judicial Education: Alternatives to Inpatient Mental Health Treatment for Forensic Cases. Funds appropriated above in Strategy B.1.1, Judicial Education, may be used to educate judges, prosecuting attorneys, and criminal defense attorneys on alternatives to inpatient mental health treatment that may be appropriate for certain individuals under forensic commitment, including individuals charged with a misdemeanor or felony offense that involved dangerous conduct because a judge or jury had determined them to be not guilty by reason of insanity, but who are ordered by a court to receive mental health treatment. Alternatives to inpatient mental health treatment for individuals under forensic commitment may include outpatient competency restoration, jail-based competency restoration, residential rehabilitation units, and conditional release. The Court of Criminal Appeals shall also take steps to make judges, prosecuting attorneys, and criminal defense attorneys involved with forensic commitment cases aware of these educational opportunities.</p> <p><i>A continuation of this rider is requested.</i></p>

4.A. Exceptional Item Request Schedule
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/4/2014**
TIME: **3:43:35PM**

Agency code: **211**

Agency name:

Court of Criminal Appeals

CODE	DESCRIPTION		Excp 2016	Excp 2017
	Item Name:	Enhance Appellate Court Operations		
	Item Priority:	1		
	Includes Funding for the Following Strategy or Strategies:	01-01-01 Appellate Court Operations		
OBJECTS OF EXPENSE:				
1001	SALARIES AND WAGES		644,782	644,782
2009	OTHER OPERATING EXPENSE		5,090	0
	TOTAL, OBJECT OF EXPENSE		\$649,872	\$644,782
METHOD OF FINANCING:				
1	General Revenue Fund		649,872	644,782
	TOTAL, METHOD OF FINANCING		\$649,872	\$644,782
FULL-TIME EQUIVALENT POSITIONS (FTE):			2.00	2.00

DESCRIPTION / JUSTIFICATION:

The funding for this exceptional item would allow the Court to 1) increase the pay of the General Counsel and 25 staff Attorneys (\$435,625 per fiscal year); 2) increase non-attorney staff salaries(\$69,000 per fiscal year). Funding for these salary increases would bring the Court's salaries more in line with the Supreme Court. The Court is also requesting funding for an additional staff attorney to handle rules and administrative matters, among other things (\$100,157 per fiscal year), and, an additional Deputy Clerk (\$40,000 per fiscal year). Two additional employees computer and office needs (\$5,090).

EXTERNAL/INTERNAL FACTORS:

.

Agency code: 211		Agency name: Court of Criminal Appeals	
Code	Description	Excp 2016	Excp 2017
Item Name:		Enhance Appellate Court Operations	
Allocation to Strategy:		1-1-1	Appellate Court Operations
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	644,782	644,782
2009	OTHER OPERATING EXPENSE	5,090	0
TOTAL, OBJECT OF EXPENSE		\$649,872	\$644,782
METHOD OF FINANCING:			
1	General Revenue Fund	649,872	644,782
TOTAL, METHOD OF FINANCING		\$649,872	\$644,782
FULL-TIME EQUIVALENT POSITIONS (FTE):		2.0	2.0

4.C. Exceptional Items Strategy Request
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/4/2014
TIME: 3:43:37PM

Agency Code: **211** Agency name: **Court of Criminal Appeals**

GOAL: 1 Appellate Court Operations Statewide Goal/Benchmark: 0 - 0
OBJECTIVE: 1 Appellate Court Operations Service Categories:
STRATEGY: 1 Appellate Court Operations Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION	Excp 2016	Excp 2017
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OBJECTS OF EXPENSE:

1001 SALARIES AND WAGES	644,782	644,782
2009 OTHER OPERATING EXPENSE	5,090	0
Total, Objects of Expense	\$649,872	\$644,782

METHOD OF FINANCING:

1 General Revenue Fund	649,872	644,782
Total, Method of Finance	\$649,872	\$644,782

FULL-TIME EQUIVALENT POSITIONS (FTE):	2.0	2.0
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Enhance Appellate Court Operations

6.A. Historically Underutilized Business Supporting Schedule
84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/4/2014**
Time: **3:43:38PM**

Agency Code: **211** Agency: **Court of Criminal Appeals**

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year 2012 - 2013 HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2012			Total Expenditures FY 2012		HUB Expenditures FY 2013			Total Expenditures FY 2013	
			% Actual	Diff	Actual \$		% Goal	% Actual	Diff	Actual \$		
23.6%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$1,560	0.0 %	0.0%	0.0%	\$0	\$1,740	
24.6%	Other Services	0.0 %	0.0%	0.0%	\$0	\$34,589	0.0 %	0.0%	0.0%	\$0	\$26,925	
21.0%	Commodities	0.0 %	26.8%	26.8%	\$10,193	\$38,087	0.0 %	28.1%	28.1%	\$11,266	\$40,086	
	Total Expenditures		13.7%		\$10,193	\$74,236		16.4%		\$11,266	\$68,751	

B. Assessment of Fiscal Year 2012 - 2013 Efforts to Meet HUB Procurement Goals

Attainment:

The Court attained or exceeded one of three, or 33% of the applicable statewide HUB procurement goals in FY 2012 and FY 2013.

Applicability:

The Heavy Construction, Building Construction and Special Trade Construction categories are not applicable to Court operations in either fiscal year 2012 or fiscal year 2013 since the agency did not have any strategies or programs related to construction.

Factors Affecting Attainment:

In both fiscal year 2012 and fiscal year 2013, the goal of the "Other Services" category was not met since the only purchase in this category was made with a vendor offering the lowest price and best value.

"Good-Faith" Efforts:

The Court has made good faith efforts to comply with the statewide HUB procurement goals per 34 TAC Section 20.13(d):

- ensured that contract specifications, terms, and conditions reflected the Court's actual requirements, were clearly stated, and did not impose unreasonable or unnecessary contract requirements.
- a vast majority of our supplies are purchased from TIBH (The Central Store) for which we do not receive HUB credit.

6.I. Percent Biennial Base Reduction Options

10 % REDUCTION

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/4/2014
Time: 3:43:39PM

Agency code: 211 Agency name: Court of Criminal Appeals

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET
	2016	2017	Biennial Total	2016	2017	Biennial Total	

1 Reduce Staff

Category: Programs - Service Reductions (Contracted)

Item Comment: The first 5% of the 10% reduction would result in the loss of five (5) law clerks positions (\$250,00 per fiscal year. The reduction of the law clerk positions would reduce clearance rates and increase the time to process appeals before the Court. The reductions will likely result in an increase to the Court's backlog.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$250,000	\$250,000	\$500,000
General Revenue Funds Total	\$0	\$0	\$0	\$250,000	\$250,000	\$500,000
Item Total	\$0	\$0	\$0	\$250,000	\$250,000	\$500,000

FTE Reductions (From FY 2016 and FY 2017 Base Request)	6.0	6.0
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2 Reduce Staff

Category: Programs - Service Reductions (Contracted)

Item Comment: The remainder of the 10% biennial reduction would result in the loss of additional personnel. Four (4) more Law Clerk positions would be lost (\$200,000 per fiscal year), and one non-attorney position (\$23,162 per fiscal year).

The Court has over 8,000 matters a year which include direct appeals, petitions for discretionary review, original matters, writs of habeas corpus, writs of mandamus, death penalty appeals, motions for rehearing/reconsideration and miscellaneous motions that are processed for filing and disposition in the clerk's office. The loss of a non-attorney position in the Clerk's office would result in the inability to timely and efficiently process these cases.

Strategy: 1-1-1 Appellate Court Operations

General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$223,162	\$223,162	\$446,324
General Revenue Funds Total	\$0	\$0	\$0	\$223,162	\$223,162	\$446,324

6.I. Percent Biennial Base Reduction Options**10 % REDUCTION**

84th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 8/4/2014
 Time: 3:43:39PM

Agency code: 211 Agency name: Court of Criminal Appeals

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			TARGET
	2016	2017	Biennial Total	2016	2017	Biennial Total	
Item Total	\$0	\$0	\$0	\$223,162	\$223,162	\$446,324	
FTE Reductions (From FY 2016 and FY 2017 Base Request)				4.0	4.0		
AGENCY TOTALS							
General Revenue Total				\$473,162	\$473,162	\$946,324	\$946,324
Agency Grand Total	\$0	\$0	\$0	\$473,162	\$473,162	\$946,324	
Difference, Options Total Less Target							
Agency FTE Reductions (From FY 2016 and FY 2017 Base Request)				10.0	10.0		

Agency code: **211**

Agency name: **Court of Criminal Appeals**

Strategy	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1-1-1 Appellate Court Operations					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$325,475	\$326,468	\$326,468	\$326,468	\$326,468
1002 OTHER PERSONNEL COSTS	13,583	7,615	11,138	7,932	8,030
2001 PROFESSIONAL FEES AND SERVICES	114	74	74	74	74
2003 CONSUMABLE SUPPLIES	516	393	293	400	400
2004 UTILITIES	100	67	67	68	68
2005 TRAVEL	262	377	500	500	500
2007 RENT - MACHINE AND OTHER	426	461	461	461	461
2009 OTHER OPERATING EXPENSE	2,695	2,629	2,520	2,600	2,600
Total, Objects of Expense	\$343,171	\$338,084	\$341,521	\$338,503	\$338,601
METHOD OF FINANCING:					
1 General Revenue Fund	343,171	338,084	341,521	338,503	338,601
Total, Method of Financing	\$343,171	\$338,084	\$341,521	\$338,503	\$338,601
FULL-TIME-EQUIVALENT POSITIONS (FTE):	3.8	3.8	3.8	3.8	3.8

DESCRIPTION

The administrative and support costs in this strategy are related to the percentage of salaries and related operating costs of court personnel performing administrative functions.

Agency code: 211

Agency name: Court of Criminal Appeals

Strategy	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
2-1-1 Judicial Education					
OBJECTS OF EXPENSE:					
1001 SALARIES AND WAGES	\$226,503	\$168,576	\$168,576	\$168,576	\$168,576
1002 OTHER PERSONNEL COSTS	2,340	480	480	480	480
Total, Objects of Expense	\$228,843	\$169,056	\$169,056	\$169,056	\$169,056
METHOD OF FINANCING:					
540 Jud & Court Training Fd	228,843	169,056	169,056	169,056	169,056
Total, Method of Financing	\$228,843	\$169,056	\$169,056	\$169,056	\$169,056
FULL-TIME-EQUIVALENT POSITIONS (FTE):					
	3.0	2.0	2.0	2.0	2.0
DESCRIPTION					

The administrative and support costs in this strategy are related to the percentage of salaries and related operating costs of court personnel performing administrative functions.

Agency code: **211**

Agency name: **Court of Criminal Appeals**

	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
GRAND TOTALS					
Objects of Expense					
1001 SALARIES AND WAGES	\$551,978	\$495,044	\$495,044	\$495,044	\$495,044
1002 OTHER PERSONNEL COSTS	\$15,923	\$8,095	\$11,618	\$8,412	\$8,510
2001 PROFESSIONAL FEES AND SERVICES	\$114	\$74	\$74	\$74	\$74
2003 CONSUMABLE SUPPLIES	\$516	\$393	\$293	\$400	\$400
2004 UTILITIES	\$100	\$67	\$67	\$68	\$68
2005 TRAVEL	\$262	\$377	\$500	\$500	\$500
2007 RENT - MACHINE AND OTHER	\$426	\$461	\$461	\$461	\$461
2009 OTHER OPERATING EXPENSE	\$2,695	\$2,629	\$2,520	\$2,600	\$2,600
Total, Objects of Expense	\$572,014	\$507,140	\$510,577	\$507,559	\$507,657
Method of Financing					
1 General Revenue Fund	\$343,171	\$338,084	\$341,521	\$338,503	\$338,601
540 Jud & Court Training Fd	\$228,843	\$169,056	\$169,056	\$169,056	\$169,056
Total, Method of Financing	\$572,014	\$507,140	\$510,577	\$507,559	\$507,657
Full-Time-Equivalent Positions (FTE)	6.8	5.8	5.8	5.8	5.8